

## Ovca Associates, Inc. Defined Pension Plan

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August 29, 2011

Honorable Linda B. Riegle  
U.S. Bankruptcy Court Judge  
Foley Federal Building  
300 Las Vegas Blvd. South  
Las Vegas, NV 89101

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AND  
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MARY A. SCHULTZ, CLERK

**Re: USA Commercial Mortgage Company, Debtor**

**Case: BK-S-06-10725-LBR – HFAH CLEAR LAKE LOAN**

As Trustee of the Ovca Associates, Inc. Defined Pension Plan (The Plan), I strenuously object to the Objection by the Trustee of the USACM Liquidating Trust to disallow The Plan's filed Proof of Claim for The Plan's investment of \$50,000 and other damages in the **HFAH CLEAR LAKE LOAN** in the above referenced Case.

The Plan's Objection is based on the above referenced Debtor and its successor, USAACM Liquidating Trust breaching their fiduciary duties and obligations including timely and accurate reporting, misuse and/or misappropriation of funds resulting in significant damages to The Plan.

I therefore respectfully request that the Court deny the Trustee of the USACM Liquidating Trust's Objection to The Plan's above referenced Proof of Claims and direct the repayment of principal, unpaid interest, and related damages to The Plan by the USACM Liquidating Trust and/or USA Commercial Mortgage Company, Debtor.

  
William J. Ovca, Jr.  
Trustee of the Ovca Associates, Inc. Defined Pension Plan

cc: John Hinderaker, Counsel